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29th Session of the Human Rights Council
Item 6 – UPR Kuwait
Statement by the International Lesbian and Gay Association¹

Delivered by Wissam Khlaifia

Thank you Mr. President

We would like to take this opportunity to repeat our concern about the escalating and alarming violations of LGBT people human rights in Kuwait.

Article 193 of the Kuwaiti criminal law punishes consensual homosexual relationships between men over 21 years old by imprisonment up to 7 years, and for men younger than 21 years by imprisonment up to 10 years, in a clear violation to Kuwait's international human rights obligations. In addition, the Kuwaiti parliament added restrictions to the right to privacy and freedom of expression in choosing what to wear by criminalizing in article 198 the "imitation of the appearance of the opposite sex" with a punishment by imprisonment for a maximum of one year and a fine up to 3500 USD. Since then, a large number of LGBT people, particularly gay and transgender, has been reported to be arrested during the past years. They have been humiliated, forced to stay in the country with court order and faced a prison sentence that reach up to one year and a fine, just for practicing their freedom of expression.

Mr. President

LGBT people in Kuwait suffer from discrimination, stigma and inaccessibility to almost all services, including necessary health services. Ignorance about LGBT issues is overwhelming and surrounded by myths and fault perceptions that are driven by fake masculinity and false medical, cultural and religious claims. The LGBT human rights situation is getting worse and in words of a transgender activist: "It's hard to forget all that pain through all these years of suffering in an ignorant society who willingly knows nothing about gender identity or sexual orientation". (As per N, a Kuwaiti transgender activist).

Mr. President

We raise our concern about the rising human rights violations for LGBT people in Kuwait. We urge the members of the Council to fulfill its obligation to protection of the human rights of everyone including the rights of LGBT persons in the MENA region.

Thank you Mr. President.

¹ This statement was prepared in consultation with Kuwaiti transgender group and a group of MENA region LGBT human rights defenders including the MantiQitna Network